

DRAFT Family Home Child Care Licensing Rules – Infant Care Section

Dear Parents, Family Home Child Care Providers, and Other Interested Persons,

On the following pages you will find the early draft of the **Infant Care** section of the Family Home Child Care licensing rules. This is a working draft prepared by the Negotiated Rule Making Team (NRMT), a group that is making recommendations to the Department of Early Learning (DEL) about the licensing rules. This draft has not been endorsed as an official DEL draft or proposed rule. Other sections of the working draft rules are available on the DEL Web site at: <http://www.del.wa.gov/laws/development/negotiated.aspx>.

Please remember that is a very early draft – you will have a chance to see and comment on future drafts before the rules become final.

The NRMT and DEL are asking that you take time to look over this early draft. Your experience and insight are needed! What you tell us will help improve the rules. In the left column are the NRMT's recommended draft rules. In the right column is the current rule requirement. As you look over the draft new rules and current rules, think about the following:

- Are the draft new rules stated clearly?
- Are the draft rules easy to understand and follow?
- What would make the rule work better?

How to give your input. You can send an e-mail with your comments, suggestions or questions to DEL at Rules@del.wa.gov. Or, send your thoughts by fax to 360-413-3482, or mail them to: DEL Rules Coordinator, PO Box 40970, Olympia, WA 98504-0970. We will keep taking comments on this draft until the next draft version is ready for release.

What happens to your comments? All input from around the state will be considered by the DEL and the Negotiated Rule Making Team in writing the next draft of the rules.

What is the Negotiated Rule Making Team? The Negotiated Rule Making Team is helping DEL review and revise the Family Home Child Care WAC 170-296. Licensed child care providers, parent and provider advocates, the Service Employees International Union 925, the Child Care Resource & Referral Network, and DEL staff are on this team. The team is guided by the principle that licensing rules must support a child's right to have safe and healthy child care.

What happens next? Other parts of the draft rule will be available for your review soon. A second draft of the entire WAC chapter will be available in spring of 2010. Around mid-2010, DEL plans send out the formal rule proposal required by law. DEL will hold public hearings and accept more written comments on the proposal at that time. DEL plans to adopt the final rules in late 2010.

Remember, this is an early draft. You will get to see the draft rules again before they are final!

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INFANT CARE	
Intent 170-296-5900 To provide a safe, nurturing, responsive environment for infants that meet their individual developmental and social-emotional needs.	No comparable current WAC
Infant Safety 170-296-5901 The licensee must provide gates or other physical barriers that prevent infants and toddlers from accessing stairways 170-296-5910 Baby walkers must not be used. [Gates and walkers will be covered in more detail in draft “Indoor Environment” sections (not included here)]	170-296-0720 What are the physical structure and equipment safety requirements for a family home child care? (3) Have gates or other physical barriers, that prevent infants and toddlers from accessing stairways
Sleeping Equipment 170-296-5920 (1) Sleeping/Napping Equipment must be provided for each infant (2) Sleeping equipment must be secure, safe and not subject to tipping. (3) Sleeping equipment must: (a) Have clean, firm, snug fitting mattresses covered with waterproof material that is easily cleaned and sanitized, without tears or tape (4) Cribs must have no more than two and three-eighths inches space between vertical slats.	170-296-1050 What are the requirements for the use of cribs? (1) You must provide a child under two years with a single-level crib, toddler bed, or playpen for napping until you and the parent agree that the child can safely use a mat, cot or other approved sleeping equipment. (2) Cribs must have no more than two and three-eighths inches space between vertical slats when used for infants less than six months of age. (3) Cribs, toddler beds, and playpens must: (a) Have clean, firm, snug fitting mattresses covered with waterproof material that is easily cleaned and sanitized, without tears or tape; and (b) Be made of wood, metal, or approved plastic with secure latching devices. (4) Each crib or bed must be arranged to allow staff access to children. (5) Children must not sleep in car seats, swings or other similar

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<p>(5) Sleeping equipment must be arranged to allow staff access to children</p> <p>(6) If children are sleeping, they must be removed from car seats, swings or similar equipment.</p> <p>(7) Children that can climb out of their sleeping equipment can be transitioned to an alternate sleeping surface.</p>	<p>equipment.</p>
<p>SLEEPING</p> <p>170-296-5930 (1) Infants must be put to sleep on their backs to reduce the risk of SIDS.</p> <p>(2) Place the infant inside the sleeping equipment on a firm mattress with a tight fitting sheet.</p> <p>(3) Soft fluffy bedding, stuffed toys, pillows, crib bumpers and similar items in the sleeping equipment must not be used.</p> <p>(4) The infant's head and face must remain uncovered during sleep</p> <p>(5) Steps must be taken so that infants do not get too warm during sleep.</p> <p>(6) Once infants are able to turn over, continue to place them on their back to sleep. If the infant has turned over while sleeping, the infant does not need to be returned to his or her back.</p> <p>(7) The provider must place the infant in another sleeping position only if required by a written note from the infant's health care provider. This note must be in the infant's file.</p> <p>(8) Bedding must be laundered at least weekly and more often if it becomes soiled.</p> <p>(9) Infants must not be left in playpens for extended periods of time</p>	<p>170-296-1060 What sleeping arrangements must I make to reduce the risk of sudden infant death syndrome (SIDS)?</p> <p>You must follow the recommendations of the American Academy of Pediatrics (AAP) for putting infants down to sleep.</p> <p>(1) You must put infants to sleep on their backs to reduce the risk of SIDS unless you have a written note in the infant's file from both the parent and the infant's health care provider requesting another sleeping position; (2) Once infants are able to turn over, continue to place them on their back to sleep. If the infant has turned over while sleeping you do not need to return the infant to his or her back; (3) Place the infant inside the crib, infant bed or playpen on a firm mattress with a tight fitting sheet; (4) You must not use soft fluffy bedding, stuffed toys, pillows, crib bumpers and similar items in the crib; (5) You must make sure that the infant's head and face remain uncovered during sleep; (6) You must not allow smoking around the infant; and (7) You must not let the infant get too warm during sleep.</p>

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<p>unless they are sleeping.</p> <p>(10) Sleeping infants must be subject to frequent checks.</p> <p>(11) Infants must be in the licensed area, within visual or auditory range, (a) This area must be approved by the department for use by infants.</p>	
<p>Infant bottles</p> <p>170-296-5940 (1) Bottles must be warmed under warm water or placed in a container of water that is not warmer than 120 degrees Fahrenheit.</p> <p>(2) A microwave oven must never be used to warm formula or breast milk</p> <p>(3) Breast milk and formula must be in clean and sanitized bottles with clean and sanitized nipples, covered and labeled with the date prepared.</p> <p>(4) Bottles and nipples must be washed and sanitized before each use.</p> <p>(5) Sanitized bottles and nipples must be kept covered.</p> <p>(6) Children must not share bottles or infant cups, and the child's name must be on his or her bottle or cup.</p> <p>(7) The licensee must have a method to track when each bottle or container is removed from the refrigerator or prepared.</p> <p>(8) If a bottle has been out of the refrigerator for more than one hour it must be made inaccessible to children until disposed of.</p>	<p>170-296-0960 What requirements must I meet for feeding infants?</p> <p>You must meet the following requirements for feeding infants:</p> <p>(1) All formulas and breast milk must be in clean and sanitized bottles with nipples and labeled with the child's name and date prepared.</p> <p>(2) If the bottle has been sitting at room temperature for an hour or more, you must throw away the contents.</p> <p>(3) You must keep bottle nipples covered when not in use.</p> <p>(4) If you reuse bottles and nipples, you must wash and sanitize them.</p> <p>(10) You must not use a microwave oven to warm formula or breast milk in a bottle used for feeding.</p>

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<p>(9) The contents of a bottle must be thrown away if it has been sitting at room temperature for an hour or more.</p>	
<p>Milk</p> <p>170-296-5950 (1) Milk must be served according to age: See WAC 170-296-XXXX in the Food & Nutrition section</p> <p>(2) Storing breast milk</p> <p>(3) When storing frozen breast milk, the licensee must:</p> <p> (a) Label the contents with the child's name and date it was brought;</p> <p> (b) Store the frozen breast milk at 10 degrees Fahrenheit or less;</p> <p>(4) Thaw the breast milk in the refrigerator, under warm running water or in a pan of warm water; and</p> <p>(5) Keep frozen breast milk for no more than two weeks.</p>	<p>170-296-0940 Are there special requirements for serving milk?</p> <p>The type of milk served to children is determined by the child's age.</p> <p>(1) Serve only breast milk or formula to the child zero to twelve months of age;</p> <p>(2) Serve whole pasteurized milk or breast milk to children twelve to twenty-four months of age;</p> <p>(3) Serve only pasteurized milk or pasteurized milk product to children over twenty-four months of age.</p>
<p>170-296-5960 Bottle Feeding Infants</p> <p>(1) Infants must be held while feeding</p> <p>(2) Infants who are nine months of age or older, may hold their own bottle if they are:</p> <p> (a) Sitting in a stationary inclined position</p> <p> (b) In the same room as and within visual range of the licensee or a primary staff person</p> <p>(3) When the child finishes feeding, or when the bottle is empty it must be taken from the child.</p> <p>(4) The licensee must not allow bottles to be propped when feeding an infant</p> <p>(5) The licensee must not allow an infant who is lying down to be given a bottle or cup</p>	<p>170-296-0960 What requirements must I meet for feeding infants?</p> <p>You must meet the following requirements for feeding infants:</p> <p>(5) You must hold infants while feeding.</p> <p>(6) Infants who are nine months of age or over, who want to hold their own bottles may be placed in a highchair if you or a primary staff person remain in the room, within eyesight.</p> <p>(7) You must take bottles from the child when the child finishes feeding, or when the bottle is empty.</p> <p>(8) You must not prop a bottle when feeding an infant.</p> <p>(9) You must not give a bottle or tippy cup to a child who is lying down.</p>

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<p>Introducing Solid Food to Infants</p> <p>170-296-5970 (1) The licensee must consult with the parent/guardian before introducing food to infants.</p> <p>(2) Licensee must follow USDA nutritional guidelines adopted (date). [NOTE: This will need to be tracked and changed as USDA updates guidelines]</p> <p>(3) Infants must be in a semi-reclining or upright position when served solid food.</p> <p>(4) Food fed to children must not be shared using the same dish or utensil.</p> <p>(5) After heating infant food it must be stirred and tested for safe temperature before serving.</p> <p>(6) Throw away any uneaten food from the serving container.</p> <p>(7) Serve solid food by utensil or let the child feed oneself.</p> <p>(8) Infants must be fed on demand unless the parent/guardian gives written instructions for an alternative feeding schedule.</p>	<p>No current rule.</p>
<p>Diapering</p> <p>170-296-5980 (1) The diaper changing areas must be separate from areas where food is stored, prepared or served.</p> <p>(2) There must be a sink for hand washing close to the diaper changing area with running hot and cold water. (a) This sink must not be used for food preparation and clean up</p> <p>(3) A sturdy, easily cleanable mat or disposable covering must be used.</p>	<p>170-296-1090 What are the requirements for diapers and diaper changing areas?</p> <p>(1) You must separate diaper changing areas from areas where food is stored, prepared or served.</p> <p>(2) There must be a sink for handwashing close to the diaper changing area with running hot and cold water. This sink must not be used for food preparation and clean up.</p>

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<p>(a) When using a mat it must be large enough to prevent the surface underneath from becoming contaminated with bodily fluids.</p> <p>(4) The diaper changing area must be cleaned and sanitized between each use, with:</p> <p> (a) A solution of one tablespoon chlorine bleach per quart of cool water or</p> <p> (b) Other department approved sanitizing agent (refer to definitions for approved agents)</p> <p>(5) A nonabsorbent, disposable covering that is discarded after each use may be used.</p> <p>170-296-5990 (1) The diaper disposal container must:</p> <p> (a) Have a tight cover,</p> <p> (b) Be lined with a disposable plastic trash bag, and</p> <p> (c) Be within arm's reach of the diaper changing area.</p> <p>170-296-6000 (1) Diapers must be checked at least every two hours and changed when necessary, or whenever the child indicates discomfort.</p> <p>(2) The child being diapered must be attended to at all times.</p> <p>(3) The diaper must not be rinsed and must be placed directly into a waste container, used only for soiled diapers.</p> <p>(4) Diapers supplied for the children must be:</p> <p> (a) Disposable,</p> <p> (b) From a commercial diaper service; or</p> <p> (c) Reusable diapers supplied by the child's family.</p> <p>(5) If any cloth diapers are used then a washable barrier between the diaper and clothes must be used.</p>	<p>(3) You must have a sturdy, easily cleanable structure, or mat with a nonabsorbent surface for diaper changing. If you use a mat it must be large enough to prevent the surface underneath from becoming contaminated with bodily fluids.</p> <p>(4) You and your staff must wash hands before and after diapering each child.</p> <p>(5) You and your staff must maintain contact with the child being diapered at all times while changing diapers.</p> <p>(6) For cleaning children, you must:</p> <p> (a) Use either disposable towels or clean cloth towels that have been washed and sanitized between each use; and</p> <p> (b) Assist a child in handwashing, after changing the diaper.</p> <p>(7) You and your staff must place the diaper, without rinsing, directly into a waste container (used only for soiled diapers) that has a tight cover, is lined with a disposable plastic trash bag, and is within arm's reach of the diaper changing area.</p> <p>(8) You and your staff must use:</p> <p> (a) Disposable diapers;</p> <p> (b) A commercial diaper service;</p> <p> (c) Reuseable diapers supplied by the child's family; or</p> <p> (d) Washable training pants.</p> <p>(9) You and your staff must clean and sanitize (one tablespoon chlorine bleach per quart of cool water) diaper changing areas between each use or you must use a nonabsorbent, disposable covering that you discard after each use.</p>

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<p>170-296-6010 (1) After diapering a child the licensee or staff member must wash your hands and (a) Assist the child with washing their hands.</p> <p>(2) Hands must be dried using either (a) Disposable towels (b) Hand driers, or (c) Clean cloth towels that have been washed and sanitized between each use.</p>	
<p>Toilet Training</p> <p>170-296-6020 Toilet training is initiated in consultation with parents: (1) Using positive reinforcement; (2) Cultural sensitivity; (3) Not using foods as reinforcement; and (4) Following a routine established between the parent and licensee.</p>	<p>170-296-1200 Must a family home child care have toilet training equipment for children?</p> <p>(1) A family home child care must have developmentally appropriate toilet-training equipment, when the home serves children who are not toilet trained. (2) You must sanitize (one tablespoon chlorine bleach per quart of cool water) the equipment after each child's use.</p>
<p>170-296-6030 If potty chairs are used they must be properly emptied into the toilet, cleaned and sanitized.</p> <p>170-296-6040 The floor under the potty chairs must be made of a material that does not allow water or moisture to penetrate the surface.</p>	<p>170-296-1200 Must a family home child care have toilet training equipment for children?</p> <p>(1) A family home child care must have developmentally appropriate toilet-training equipment, when the home serves children who are not toilet trained. (2) You must sanitize (one tablespoon chlorine bleach per quart of cool water) the equipment after each child's use.</p>

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<p>Play</p> <p>170-296-6050 Provide a sufficient quantity and variety of easily accessible learning and play materials designed to meet the children's developmental, cultural, and individual needs.</p> <p>170-296-6060 The daily schedule must promote:</p> <ul style="list-style-type: none"> (1) Social skills (for example: Opportunities for sharing, caring and helping; (2) Positive self-concepts (3) Language and literacy <ul style="list-style-type: none"> (a) Read and talk to them daily; (4) Physical development in both indoor and outdoor settings: <ul style="list-style-type: none"> (a) Encourage eye-hand coordination, body awareness, rhythm and movement (b) Freedom of movement outside their sleeping equipment (c) Provide materials and opportunities for strengthening large and small muscle development (d) Provide a safe environment for climbing, moving and exploring; (e) Encouraged to handle and manipulate a variety of objects <p>[NOTE: More information on this subject will be in a Provider Guidebook.]</p> <p>170-296-6070 Infants and toddlers must have ample opportunities to move about freely.</p> <p>170-296-6080 There must be a balance between adult directed and child-initiated activities.</p>	<p>170-296-1210 What are the requirements for indoor play areas?</p> <p>(2) You must designate an area that is developmentally appropriate and safe for children less than twenty-four months of age to allow opportunities for:</p> <ul style="list-style-type: none"> (a) Large and small muscle development; (b) Crawling and exploring; (c) Sensory stimulation; (d) Development of communication; and (e) Learning self-help skills. <p>(3) You must provide appropriate lighting and ventilation for all activity areas.</p> <p>170-296-1370 What types of play materials, equipment and activities must I provide for the children in my care?</p> <p>(1) You must provide developmentally appropriate and culturally relevant activities and materials in the required quantity and variety to meet the needs and interests of children being served. The daily schedule must promote:</p> <ul style="list-style-type: none"> (a) Social skills (for example: Opportunities for sharing, caring and helping); (b) Positive self-concepts (for example: Encouraging children to draw pictures and tell stories about themselves and their families); (c) Language and literacy (for example: Reading books, songs, conversation, story telling, scribbling and drawing); (d) Physical development in both indoor and outdoor settings, strengthening large and small muscles and encouraging eye-hand coordination, body awareness, rhythm and movement (for example: Finger plays, obstacle courses and puzzles); and (e) Creative expression and appreciation for the arts (for example: Creating art work as process rather than product, dance, movement,

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<p>170-296-6090 Licensee or assistant voices must not dominate the overall sound of the group.</p> <p>170-296-7000 Place infants in a prone (lying on the stomach) position part of the time when they are awake and staff are observing them.</p> <p>170-296-7010 Toys, objects and other play materials must be provided that:</p> <ul style="list-style-type: none"> (a) Are cleanable (b) Are nontoxic and (c) Cannot cause a choking hazard for infants or toddlers. 	<p>dramatic play, music and materials that represent a variety of cultures).</p> <p>(2) The daily schedule must provide:</p> <ul style="list-style-type: none"> (g) Infants and toddlers with ample opportunities to move about freely in a safe area.
<p>INTERACTIONS</p> <p>170-296-7020 Licensee must:</p> <ul style="list-style-type: none"> (1) Treat each child with consideration and respect (2) Provide equal opportunities for each child to take part in all developmentally appropriate activities <ul style="list-style-type: none"> (a) Perform nurturing activities (b) Perform activities to stimulate an infant's development. (3) Be nurturing and affectionate- appropriately hold, touch, smile at infants, taking into consideration the parents' own nurturing practices. (4) Be in frequent verbal communication with the infant in a positive, reinforcing, cheerful and soothing way. Explain your actions, even to very young babies- (5) Be responsive and reciprocal in your interactions with infants (6) Listen to children with attention and respect. 	<p>170-296-1390 How am I required to interact with the children in my care?</p> <p>You, your staff and volunteers must:</p> <ul style="list-style-type: none"> (1) Treat each child with consideration and respect, and with equal opportunities to take part in all developmentally appropriate activities; (2) Appropriately hold, touch and smile at children; (3) Speak clearly to children at their eye level; (4) Be available and responsive to children, encouraging them to share experiences, ideas and feelings; (5) Sit with children during meals when possible; (6) Listen to children with attention and respect; (7) Attend to children when they cry; (8) Perform nurturing activities including diapering, toileting, feeding, dressing and resting taking into consideration of the parent's own nurturing

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<p>(7) Talk to and interact with each infant and toddler often and encourage them to respond.</p> <p>(8) Respond to and investigate cries or other signs of distress immediately.</p> <p>(9) Sit with children during meals when possible.</p> <p>170-296-7030 Profanity or obscene language must not be used around the children in care.</p>	<p>practices, when the practices are developmentally appropriate and when the practices would not constitute a violation of these regulations. These activities must be performed in a relaxed, reassuring and individualized manner, which is developmentally appropriate and promotes the child's learning self-help and social skills; and</p> <p>(9) You, your staff, volunteers and family members having access to the children in your care must not use profanity or obscene language.</p>
<p>Supervision</p> <p>170-296-7040 The licensee or a primary staff person must be within sight or hearing of the children both inside and outside of the home.</p> <p>170-296-7050 Infants must not be outside without the licensee or primary staff person present within sight and hearing.</p> <p>170-296-7060 Infants must not be inside without the licensee or primary staff person present within sight or hearing.</p>	<p>170-296-1360 What am I required to do to supervise children?</p> <p>(2) You, or a primary staff person, must be within sight or hearing of the children in your care, both inside and outside, so that you or a primary staff person are capable of intervening to protect the health and safety of the children.</p> <p>(4) The supervision you provide must ensure that you are aware of what the children are doing at all times and can promptly assist or redirect activities when necessary.</p> <p>(5) If you are unable to view children in your licensed space you must continually go to that area to check on them.</p> <p>(6) Children must not be on a floor level of the home unless you or a primary staff person is on the same floor level. When deciding how close to supervise, you must consider the following:</p> <ul style="list-style-type: none"> (a) Ages of the children (sleeping or napping infants must be in the main child care space and subject to continual checks); (b) Individual differences and abilities; (c) Layout of the house and play area;

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